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TRANSCRIPT OF RECORD

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Supreme Court of the United States

OCTOBER TERM, 1937

No. 161

SOUTH CAROLINA STATE HIGHWAY DEPARTMENT, SOUTH CAROLINA PUBLIC SERVICE COMMISSION, ET AL., APPELLANTS,

vs.

BARNWELL BROTHERS, INC., POOLE TRANSPORTATION, INC., HORTON MOTOR LINES, INC., ET AL.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT OF SOUTH CAROLINA

FILED JUNE 21, 1937.

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE EASTERN DISTRICT OF SOUTH CAROLINA, AT CHARLESTON

BARNWELL BROS., INC., a North Carolina Corporation; POOL TRANSPORTATION, INC., a South Carolina Corporation; Horton Motor Lines, Inc., a North Carolina Corporation; National Convoy & Trucking Co., a North Carolina Corporation; Planters Fertilizer & Phosphate Co., a South Carolina Corporation; Carolina Transfer & Storage Co., a North Carolina Corporation; Sarah A. Geraty, John W. Geraty, and Charles W. Geraty, Trading as William C. Geraty Co., a South Carolina Partnership; Dewey D. Maner, a Sole Trader, Trading as Maner Transfer Co., of Rome, Georgia; Merchant's Fertilizer Co., a South Carolina Corporation; Akers & Hudson Motor Lines, Inc., a North Carolina Corporation; and South Carolina Produce Association, a South Carolina Corporation, Plaintiffs,

vs.

SOUTH CAROLINA STATE HIGHWAY DEPARTMENT, SOUTH CAROLINA PUBLIC SERVICE COMMISSION, Joseph M. Poulnot, Individually, and as Sheriff of Charleston County, and as Representative of All Such Officers; George Bell Timmerman, Individually, and as Chairman of the State Highway Commission of South Carolina, and as Representative Thereof; Ben M. Sawyer, Individually, and as Chief Highway Commissioner of South Carolina; Alfred W. Bohlen, Individually, and as Director of the Motor Vehicle Division of the State Highway Department of South Carolina, and as Representative of Said Department; S. Eakin Wilson, Individually, and as State Inspector for the State Highway Department of South Carolina for Charleston County, and as Representative of All Like Officers in South Carolina; Tee-Hutto, Individually, and as Patrolman for the State Highway Department of South Carolina in Charleston County, and as Representative of All Like Officers in South Carolina; James W. Wolfe, Individually, and as Chairman of the South Carolina Public Service Commission, and as Representative thereof; William W. Goodman, Individually, and as